

REMARKS

Favorable consideration and allowance of the application is respectfully requested.

Claims 1-18 were in this application, claims 5-8 and 10-18 have been amended. Claim 4 has been cancelled and new claim 19 substituted therefore.

Claims 10-18 were withdrawn in response to a restriction requirement. However, in view of the allowance of claim 1, the withdrawn product by process claims, 10-18 are subject to rejoinder under MPEP § 821.04, as all the process claims depend from and include all the limitations of the allowed product claim therein. To expedite prosecution and allowance of the application, following rejoinder, these claims have been amended as to clarity and form, corresponding substantially to the amendments made to claims 5-8 in response to the rejection under 35 U.S.C. § 112.

In particular, claims 5-8 have been amended to include proper Markush group language.

Claim 7 has been amended to include the scientific names in place of the listed trademark names, as evidenced by the enclosed data sheet, in conformance with IUPAC regulations. (Copy enclosed). For the sake of clarity, the particular scientific names for Eudragit L, RS and RL have been added to the specification. As this information was in the prior art, no new matter is included by the substitution of the scientific names for the trade names.

Claim 4 has been cancelled and new claim 19 substituted therefore. Claim 19 is believed to be definite as the specification identifies that the dissolution profile is generated by a basket apparatus according to EP-USP standards, (P. 5, L. 30-33) and such a test would be well understood by one skilled in the art, particularly as specific examples are given in the specification. Preparation of such a dissolution profile, according to, for example, United States Pharmacopeia standards, would be well known to one skilled in the art of controlled release formulations, and claim 19 is thus believed to be definite.

Based upon the above amendments and remarks, favorable consideration and allowance of the application is respectfully requested. However, should the examiner believe that direct contact with the applicant's attorney would advance the prosecution of this application, the

examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,



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